

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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Equal Employment Opportunity
Commission,

Civil Action No. 09-4212

Plaintiff,

ANSWER

-against-

M&R Children's Wear, Inc., Raquel
Discount Stores, Inc., and Duav
Children's Wear, Inc., (all d/b/a Happy
Days Children's Wear),

Defendants.

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Defendants, M&R CHILDREN'S WEAR, INC., RAQUEL DISCOUNT STORES, INC. and DUAV CHILDREN'S WEAR, INC. (all d/b/a) HAPPY DAYS CHILDREN'S WEAR), by their attorneys, GOLDFARB & GOLDFARB, Esqs., as and for an Answer of the Complaint of the Plaintiff herein respectfully alleges as follows:

1. Denies each and every allegation set forth in the Paragraphs of the Complaint numbered "2", "4", "6", "8", "9", "10", "11" and "12".
2. Denies any knowledge or information sufficient to form a belief as to the truth of each and every allegation contained in Paragraphs of the Complaint numbered "7".
3. Denies that the Defendants all do business as HAPPY DAYS CHILDREN'S WEAR, but admits the balance of Paragraph "5".

**AS AND FOR AN AFFIRMATIVE DEFENSE
ON BEHALF OF DEFENDANTS
DUAV CHILDREN'S WEAR, INC. AND
RAQUEL DISCOUNT STORES, INC.**

That Defendants DUAV CHILDREN'S WEAR, INC. and RAQUEL DISCOUNT STORES, INC., have been improperly joined as party Defendants. They are separate companies from the M&R CHILDREN'S WEAR, INC., and they did not employ Milka Morillo.

WHEREFORE, Defendants pray for the Complaint to be dismissed and for such

other and further relief and this Court deems just and proper.

Dated: Brooklyn, New York
October 28, 2009

/s/ Aaron Feldman
Aaron Feldman (AF6817)
GOLDFARB & GOLDFARB, Esqs.
Attorneys for the Defendants
2774 Coney Island Avenue
Brooklyn, NY 11235
718 891-2900
718 891-2950 (fax)
gold.law@verizon.net

To:

Elizabeth Anne Grossman
Equal Employment Opportunity Commission
New York District Office
33 Whitehall Street, 5th Floor
New York, NY 10004
212-336-3696
212-336-3623 (fax)
elizabeth.grossman@eeoc.gov

Robert D. Rose
Equal Employment Opportunities Commission
New York District Office
33 Whitehall Street
5th Floor
New York, NY 10004
(212)336-3708
(212)336-3623 (fax)
robert.rose@eeoc.gov

Ami T. Sanghvi
EEOC
Homelessness Outreach & Prevention Project
33 Whitehall Street, 5th Floor
New York, NY 10004
212-336-3672
212-336-3623 (fax)
ami.sanghvi@eeoc.gov